THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.17861 OF 2006

ORAL ORDER:

The Petitioner's claim for issuance of caste certificate as ST (Bentho-Oriya) for prosecuting studies in the 1st year MBBS for the academic year 2005-06 in the Andhra Medical College, Visakhapatnam, was rejected by the Revenue Divisional Officer, Tekkali, by order dated 23.6.2006. Aggrieved by the same, the petitioner preferred an appeal before the District Collector, Srikakulam. Pending the said appeal, the petitioner sought interim direction to the Revenue Divisional Officer, Tekkali, to issue provisional certificate as Bentho-Oriya ST, so as to enable him to seek re-admission into MBBS course. The said request was rejected by the 2nd respondent by order dated 13.8.2006, which is under challenge in this writ petition.

I have heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents.

Since, admittedly, the Revenue Divisional Officer, Tekkali, who is the competent authority to issue caste certificate, having conducted enquiry, rejected the claim of the petitioner, I am unable to find fault with the 2nd respondent in refusing to grant interim direction to issue a provisional certificate. Hence, the impugned order does not warrant interference.

It is also brought to my notice that on the basis of the order passed by the Revenue Divisional Officer, Tekkali dated 25.6.2006, admission of the petitioner into MBBS course has already been cancelled and challenging the same, the petitioner filed a writ petition and the same is pending before this Court.

In the circumstances, without expressing any opinion on merits, the writ petition is disposed of with a direction to the 2nd respondent to dispose of the appeal pending on his file as expeditiously as possible,

preferably within a period of two months from the date of receipt of a copy of this order. No costs.

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(G. ROHINI, J.)

28th August, 2006.
Note: Issue CC in two days.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.17861 OF 2006

28th August, 2006.

Between:

Rajesh Dolai. .. Petitioner.

And

The Revenue Divisional Officer-cum-
Sub-Collector, Tekkali, Srikakulam district
and another. .. Respondents.